

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nicholas Smith and Derik George,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

Sun Country, Inc. et al.,

Defendants.

Civ. No. 24-cv-00619-KMM-JFD

ORDER TO STAY PROCEEDINGS

Having considered the parties' Joint Motion to Stay Proceedings to Facilitate Settlement Discussions (Dkt. No. 26) and for good cause shown, the Court grants the motion and orders as follows:

1. All proceedings are stayed through March 30, 2025 (90 days from the entry of this order).
2. No earlier than 30 days after the order's entry date, any party may terminate the stay by giving seven days' written notice to the other party and the Court without filing a motion.
3. Notwithstanding the stay, if there are any disputes about the data, documents, or information to be provided for purposes of settlement, the parties may contact the Magistrate Judge assigned to the case to assist with resolution of any such issues, and the Magistrate Judge will have the power to resolve those disputes to facilitate settlement as if this case was not stayed.

4. If the stay expires or is terminated by either party, (a) Defendants shall answer or otherwise respond to the Complaint within 21 days from the date the stay expires or is terminated, (b) the parties shall file a scheduling proposal within 30 days of the expiration or termination of the stay, and (c) Plaintiffs shall file an opposition within 30 days of the date the motion is filed if Defendants file a motion under Fed. R. Civ. P. 12.

5. Based on the parties' representations in the initial motion for a stay of these proceedings, the Court entered an order for a settlement conference. (Dkt. No. 25) A settlement conference is scheduled for March 12, 2025. The Court will initiate consultations with the parties concerning whether a settlement conference is needed and if so, its timing. As of now, the Order for a Settlement Conference at Docket No. 25 remains in effect.

6. During the stay, Defendants will not attempt to resolve, settle, moot, or otherwise compromise any claims arising out of or related to the claims in this action with any member of the putative class, other than with Plaintiffs' counsel; however, the foregoing will not apply to the administrative claims review process or the settlement of any individual claim where (a) the individual filed a claim before the commencement of this action, and (b) either a settlement in principle was reached before the filing of this motion or settlement discussions began before the commencement of this action, so long as the settlement does not attempt to compromise the claims of any other member of the putative class. To the extent that Defendants resolve such claims on behalf of any member

of the putative class, they will promptly provide a copy of any such agreement to Plaintiffs' counsel.

7. If the case is not resolved via settlement, nothing in this order or the motion that prompted it shall prejudice any party's positions or arguments on class certification, the merits of the case, or otherwise.

Dated December 30, 2024

/s/ John F. Docherty

JOHN F. DOCHERTY

United States Magistrate Judge